

JAKE'S BAR AND GRILL LLC and  
ANTONIO VITOLO,

Plaintiff,

V.

ISABELLA CASILLAS GUZMAN,  
Administrator,  
U.S. Small Business Administration,

Defendant.

## DECLARATION OF DIANNA L. SEABORN

I, DIANNA L. SEABORN, hereby declare as follows:

1. I have worked at the U.S. Small Business Administration (“SBA”) for over twenty years.

I currently hold the position of Director of the Office of Financial Assistance in the Office of Capital Access. The Office of Capital Access is responsible for the operation of and development of policy for the SBA's business loan programs authorized under the Small Business Act and the Restaurant Revitalization Fund ("RRF") program authorized under the American Rescue Plan Act, among others. As such, I am knowledgeable about the RRF program.

2. The attached as Exhibit A is a true and correct copy of a screenshot of the RRF online application requesting that the Applicant self-certify if it is a small business concern at least 51 percent owned and controlled by one or more women, veteran(s), and/or socially and economically disadvantaged individual(s).

3. The attached as Exhibit B is a true and correct copy of a screenshot of the RRF online application requesting optional demographic information of the Applicant's business owner.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14<sup>th</sup> day of May, 2021 in Washington, DC.

DIANNA SEABORN Digitally signed by DIANNA  
SEABORN  
Date: 2021.05.14 18:29:20 -04'00'

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Dianna L. Seaborn  
Director, Office of Financial Assistance  
U.S. Small Business Administration

# Exhibit A



## Restaurant Revitalization Award

Messages

Save Application

Exit Wizard

Status

Helpful Links

Calculated Award Amount  
\$0

Your Application Status

☒ **Application in Progress**

☐ E-Signature Pending

☐ E-Signature Processing

☐ Submitted

☐ IRS Verification

☐ Under Review

☐ Additional Info Needed

☐ SBA Decision

Eligibility

Business Details

Award Calculation

Deposit Account

Supporting Documents

Authorized Owner

Summary

## Business Details

### Section 1: Special Circumstances

#### Priority in Awarding Restaurant Revitalization Funds

In accordance with the American Rescue Plan Act, SBA will prioritize awarding funds to Applicants that are small business concerns at least 51 percent owned and controlled by individuals who are women, veterans, and/or socially and economically disadvantaged individuals. Applicants in one of these categories that are operating under an approved plan of reorganization under either a Chapter 11 or Chapter 13 bankruptcy and do not have a trustee exercising day-to-day control are eligible for funding under this program.

**Your priority election and associated ownership disclosure will be made public by the SBA.**

Need Help?

Status

[Helpful Links](#)

Calculated Award Amount

\$0

Your Application Status

**● Application in Progress**

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- ☐ SBA Decision

As of the date of this application, Applicant is a small business concern at least 51 percent owned and controlled by (check all that apply):

- ☐ One or more women   ☐ Veteran(s)   ☐ Socially and economically disadvantaged individual(s)

Is the Applicant a franchise that is listed in the SBA's Franchise Directory?

No

Start Typing a Franchise Name...

Has the Applicant filed for bankruptcy?

No

**Section 2: Restaurant Type**

Select all that apply, you can pick all types under which you are regulated in your locale, or under which you hold a license

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Restaurant                        | <input type="checkbox"/> Bakery **                      | <input type="checkbox"/> Other similar place of business in which the public or patrons assemble for the primary purpose of being served |
| <input type="checkbox"/> Food Stand, Food Truck, Food Cart | <input type="checkbox"/> Brewery and/or microbrewery ** |  |
| <input type="checkbox"/> Caterer                           | <input type="checkbox"/> Winery **                      |  |

**Need Help?**

# Exhibit B



## Restaurant Revitalization Award

Messages

Save Application

Exit Wizard

Status

[Helpful Links](#)

Calculated Award Amount  
**\$0**

Your Application Status

☒ **Application in Progress**

- ☐ E-Signature Pending
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- ☐ Submitted
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- ☐ Under Review
- ☐ Additional Info Needed
- ☐ SBA Decision

City

State

Zip Code



### Demographic of (optional)

Position

Position

Veteran Status

Not Disclosed

Gender

Not Disclosed

Ethnicity

Not Disclosed

Race

× Not Disclosed

Add Business Owner

Need Help